

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

JONATHAN W. VANCUREN,

Plaintiff,

-vs-

ANDREW SAUL, Commissioner of  
Social Security,

Defendant.

Case No. CIV-18-1128-F

**ORDER**

On August 8, 2019, this court entered an order and judgment (doc. nos. 22 and 23) reversing the Commissioner's decision and remanding the case for further administrative proceedings.


Presently before the court is Plaintiff's Motion for Attorney Fees Pursuant to the Equal Access to Justice Act (doc. no. 24), wherein plaintiff requests an award of attorney's fees in the amount of \$4,913.80, representing 1.30 hours of attorney work at a rate of \$202 per hour and 22.80 hours of attorney work at a rate of \$204 per hour. Defendant has responded to the motion (doc. no. 25), and in so doing, has represented that he will not oppose plaintiff's requested award. Upon due consideration of the unopposed motion, the court finds that an attorney's fee award in the amount of \$4,913.80 for all work performed in this case is reasonable and appropriate.

Accordingly, Plaintiff's Motion for Attorney Fees Pursuant to the Equal Access to Justice Act (doc. no. 24) is **GRANTED**. Plaintiff is awarded attorney's fees under the Equal Access to Justice Act in the amount of \$4,913.80. Pursuant to

Astrue v. Ratliff, 560 U.S. 586, 589 (2010), the attorney's fees are payable to plaintiff as the prevailing party. The check made payable to plaintiff shall be sent to plaintiff's counsel's office.

If attorney's fees are also awarded under 42 U.S.C. § 406(b), plaintiff's counsel shall refund the smaller award to plaintiff pursuant to Weakley v. Bowen, 803 F.2d 575, 580 (10<sup>th</sup> Cir. 1986).

DATED at Oklahoma City, Oklahoma, this 24<sup>th</sup> day of September, 2019.

  
STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE